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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/990,056	11/21/2001	Jun-II Hong	678-702(P9689)	1468
66547 7590 05/02/2007 THE FARRELL LAW FIRM, P.C. 333 EARLE OVINGTON BOULEVARD SUITE 701 UNIONDALE, NY 11553			EXAMINER VU, THANH T	
			ART UNIT 2174	PAPER NUMBER
			MAIL DATE 05/02/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/990,056	HONG, JUN-II	
	<b>Examiner</b>	<b>Art Unit</b>	
	Thanh T. Vu	2174	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 February 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

This communication is responsive to Amendment, filed 06/03/2006.

Claims 1-5 are pending in this application. In the Amendment, claims 1 and 5 were amended. This action is made Final.

#### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sorensen al. ("Sorensen", US 5,761,610) and Kirk (U.S. Pat. No. 6,495,422).

As per claim 1, Sorensen discloses a device having a user interface and directional buttons for controlling a menu shift the device comprising: a recognition module for determining if the directional buttons have been pressed and for generating a shift command (figs 1 and 3A; col. 3, lines 60-63; col. 4, lines 40-42 and lines 50-62; col. 5, lines 21-36; menu key allows a user to scroll through menu items; clear key allows a user to move from one menu page to another); a timer module for determining a duration for which directional button is pressed (figs 1 and 3A; col. 3, lines 60-63; col. 4, lines 40-42 and lines 50-62; col. 5, lines 21-36); and a pointer carrier for shifting the position of the pointer in response to said shift command wherein said shift command directs said pointer carrier to shift said pointer to a next menu item on a page including a plurality of menu items if said determined duration is shorter than a preset duration (col. 2, lines 62-63; col. 4, lines 60-63; col. 4, lines 40-42; scrolling to the next menu item in the short

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menu), and said shift command directs said pointer carrier to shift said pointer to a next menu page if said determined duration is longer than or equal to said preset time (figs 1 and 3A; col. 4, lines 57-60; the controller goes to extended menu). Although Sorensen teaches a menu page with a plurality of menu items (col. 2, lines 62-63), the display of Sorensen is only capable of displaying one menu item at a time (col. 2, lines 31-33). Kirk teaches an improved display screen, which allows plurality of menu items displayed at the same time (figs 1 and 6). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Kirk in the invention of Sorensen in order to provide the user with an improved display screen, which allows more than one menu item to display at a time.

Claim 5 is similar in scope to claim 4 and therefore is rejected under similar rationale.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 2-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Sorensen al. (“Sorensen”, US 5,761,610).

As per claim 2, Sorensen discloses a method for controlling a menu shift in a device having directional buttons and a user interface, the method comprising: (a) checking if an event has been generated, and determining the kind of the generated event (figs 1, 3A, and 5; col. 3, lines 60-63; col. 4, lines 40-42 and lines 50-62; col. 5, lines 21-36); (b) operating a timer, and

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returning to step (a) if the generated event is a push of a directional button (figs 1, 3A, and 5; col. 3, lines 60-63; col. 4, lines 40-42 and lines 50-62; col. 5, lines 21-36); (c) shifting a pointer currently pointing to a predetermined menu on a screen to a corresponding menu on a next page, if the generated event is a timer interrupt, that signals lapse of a predetermined time, and returning to step (a) (figs 1, 3A, and 5; col. 3, lines 60-63; col. 4, lines 40-42 and lines 50-62; col. 5, lines 21-36); and (d) ceasing operation of the timer if the generated event is a release of the directional button, checking whether or not the timer interrupt had been previously generated, and returning to step (a) if the timer interrupt has been generated and returning to step (a) after shifting the pointer to a next menu if the timer interrupt has not been generated (figs 1, 3A, and 5; col. 3, lines 60-63; col. 4, lines 40-42 and lines 50-62; col. 5, lines 21-36).

As per claim 3, Sorensen discloses the method further comprising the step of returning to step (a) if the generated event is not a release of the directional button (figs 1, 3A, and 5; col. 3, lines 60-63; col. 4, lines 40-42 and lines 50-62; col. 5, lines 21-36).

Claim 4 is similar in scope to claim 2 and therefore is rejected under similar rationale.

### ***Response to Arguments***

Applicants' arguments in the Amendment have been fully considered but are not persuasive.

Applicant's primary argument is that Sorensen does not teach "ceasing operation of the timer if the generated event is a release of the directional button, checking whether or not the timer interrupt had been previously generated, and returning to step (a) if the timer interrupt

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has been generated and returning to step (a) after shifting the pointer to a next menu if the timer interrupt has not been generated. The examiner does not agree Sorensen's reference reads on the claim language of ceasing operation of the timer if the generated event is a release of the directional button, checking whether or not the timer interrupt had been previously generated, and returning to step (a) if the timer interrupt has been generated (fig. 5, step 503; the system return to step (a) because the controller continues to check and determine if an event is generated see fig. 9, steps 907 and 909) and returning to step (a) after shifting the pointer to a next menu if the timer interrupt has not been generated (fig. 5; step 505 and 513; the system return to step (a) because the controller continues to check and determine if an event is generated see fig. 5, steps 515, 523, 531, 517, 519, 525, 527, and 529).

### *Conclusion*

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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*Inquiries*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T. Vu

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